

REMARKS

This is in response to the Office Action mailed on January 24, 2008. With this Amendment, claims 2, 16 and 22 are canceled. Claims 1, 3, 4, 17, 23 and 24 are amended. Claims 1, 3-15, 17-21 and 23-35 are presented for reconsideration and allowance.

Drawing Objections

In the Office Action, the drawings originally filed on October 30, 2003 were objected to, and corrected drawings were required. The stated reason for the requirement was hand written labeling in FIGS. 10-32. In response, Applicant respectfully notes that formal drawings were filed on September 19, 2006, and that these formal drawings are believed to be in compliance with 37 CFR 1.121(d). These formal drawings are available on the USPTO's PAIR system. Therefore, it is respectfully requested that the objection to the drawings be withdrawn.

Specification Objections

In section 2 of the Office Action, the specification was objected to as failing to provide proper antecedent basis for the claimed subject matter. In support of the objection, the Office Action stated that “[a] computer readable medium” of claim 16 lacks antecedent basis in the specification. While it is respectfully maintained that the specification provides proper antecedent basis for the phrase “computer readable medium” (see e.g., page 8, line 21- page 10, line 9), with this Amendment, claim 16 is canceled. Therefore, it is respectfully requested that the objection to the specification be withdrawn.

Claim Rejections 35 U.S.C. § 112

In section 4 of the Office Action, claim 16 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. While it is respectfully maintained that claim 16 satisfied the requirements of 35 U.S.C. § 112, as noted above, claim 16 is herein canceled. Therefore, it is respectfully requested that the rejection under 35 U.S.C. § 112 be withdrawn.

Claim Rejections 35 U.S.C. § 101

In section 6 of the Office Action, claim 16 was rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Without prejudice on the issue of whether claim 16 satisfied the requirements of 35 U.S.C. § 101, since claim 16 is herein canceled, it is respectfully requested that the rejection be withdrawn.

Claim Rejections 35 U.S.C. § 103

In section 8 of the Office Action, claims 1-4, 12-20, 22-24 and 32-35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chiu et al. (US Pub No: 2005/0030255 A1), hereafter referred to as “Chiu,” in view of Mochrle et al. (US Patent No: 6599130), hereafter referred to as “Mochrle.” In support of the rejection, the Office Action stated:

(1) Regarding claim 1:

Chiu teaches (in Fig. 3) method of coordinating resources (i.e. content) of mobile computing devices (i.e. laptop computers, notebook PCs, PDA5) to jointly execute tasks (i.e. by joining the received content on the plurality of displays and forming a modular display) [0017-0019], the method comprising:

receiving a first gesture input (i.e. receiving gesture from input device such as keyboard, mouse device, motion detector) at a first mobile computing device (e.g. Laptop computer) [0021], [0023];

receiving a second gesture input (i.e. receiving gesture from input device such as keyboard, mouse device, motion detector) at a second mobile computing device (e.g. Laptop computer) [0021];

determining (indicating or recognizing) whether the first and second gesture inputs form one of a plurality of different gesture types (e.g. move content, delete content, transpose content) [0021] and [0050];

and if it is determined that the first and second gesture inputs (i.e. input from the laptop computers) form the one of the plurality of different gesture types [0022], then combining resources (content) of the first and second mobile computing devices to jointly execute a particular task (i.e. forming modular display system) associated with the one of the plurality of different gesture types (note that each display (on the modular system display) associated with a particular gesture stack and content fed to a particular display through a stack; the displays communicate with each other within a peer-to-peer type system and each display is aware is neighboring display through the content propagation and forming a modular display) [0017] and [0051].

Note that Chiu teaches gestures but Chiu does not teach Synchronous gestures.

However, Moehrle in the same field of endeavor teaches synchronous gestures (column 2, lines 37-49, column 3, lines 5560 and column 4, lines 43-59, and Fig. 3).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention to incorporate the method of synchronous gesture as taught by Moehrle in to the computing devices of Chiu so that the plurality of synchronous gesture could be determined. In this configuration the system would provide a reliable operation in the display devices with accurate data transmission (Moehrle, column 2, lines 30-49).

Thus, the Office Action explicitly acknowledges that Chiu does not teach synchronous gestures. The Office Action statement, that Moehrle teaches synchronous gestures, is respectfully traversed. Moehrle teaches the concept of synchronization in different contexts, but does not teach the determination of whether first and second gesture inputs are synchronous gesture types. For example, the Office Action cites col. 2, lines 37-49 as teaching synchronous gesture determination. However, this portion of Moehrle teaches time and location synchronization of recorded gestures with a video, not determination as to whether first and second gestures are synchronous gesture types. Specifically, col. 2, lines 37-49 of Moehrle states:

In general the present invention is accomplished by overlaying an interpretation layer on the video, or image layer, to record the deictic gestures of a viewer in time and location synchronization with the video, through a software application. The interpretation layer will also record comments and associate the comments with the gestures. Put in other words, the interpretation layer will create a gesture map and comment map overlaid on the video sequence with all three being synchronized to the video, whether by time code, frame and line code, or other image identifier accompanying the video. The present invention is most efficacious with in-motion images but may work equally well with a series of static images as the image layer. (Emphasis added).

The Office Action also cites col. 3, lines 55-60 of Moehrle as teaching the determination as to whether first and second gesture inputs are synchronous gesture types. This portion of Moehrle states:

Motion of the echocardiogram video is then resumed, if it has been stopped, after comment has been entered under a command from the teacher. Each deictic gesture and synonymously labeled commentary are recorded in synchronization with the video for later use.

Again, this demonstrates no teaching of the claim limitation of “determining whether the first and second gesture inputs form one of a plurality of different synchronous gesture types.” Finally, the Office Action cites Moehrle as teaching synchronous gesture determination at col. 4, lines 43-59, which states:

As indicated in FIG. 3, the video processor 45 will accept input from a variety of sources 57 of live or recorded video sources, including those transmitted from remote sources, and will time code 59 or otherwise quantify the video layer as necessary. Video may be reformatted, digitized, or the like within the scope of the present invention. The video layer time code 59 is shared with the interpretation layer 47 to synchronize the two. The interpretation layer 47, which governs gesture and comment recordation, is overlaid on the video layer as indicated schematically by separate input lines 61, 63 for video layer and interpretation, respectively. The overlay methodology is used to simplify the acceptance of multiple types of video source 57 and to protect the original video source from any data corruption. A "session" input line 65 is shown to schematically indicate capture and return of gestures and comments from the display means 31 to the computer 29.

While this portion of Moehrle teaches the synchronization of a video layer with an interpretation layer, it does not teach the claim limitation of determining whether the first and second gesture inputs form one of a plurality of different synchronous gesture types. Lacking a teaching of this express claim limitation, the combination of Moehrle and Chiu cannot render independent claim 1 obvious.

Even though it is respectfully maintained that claim 1 as filed is allowable over the cited combination, claim 1 is also amended to include the limitations of now canceled claim 2. Specifically, independent claim 1 now recites “processing circuitry configured to determine whether the first and second gesture inputs form one of a plurality of different synchronous gesture types by determining whether the first and second gesture inputs are synchronized in

time.” (Emphasis added). This further limitation is also not taught by Chiu or Mochrle, and therefore provides an additional basis of allowance of claim 1.

In originally rejecting now canceled claim 2, the Office Action stated:

(2) Regarding claim 2:

Note that Mochrle teaches synchronous gesture and Chiu teaches wherein determining (recognizing) whether the first and second gesture inputs form the one of the plurality of different gesture types (e.g. transpose gesture) further comprises determining whether the first and second gesture inputs are synchronized in time ([0041], [0021] and [0050]).

These statements in the Office Action are respectfully traversed for several reasons. First, as demonstrated above, Mochrle does not teach synchronous gesture determination. Second, since the Office Action has acknowledged that “Chiu does not teach Synchronous gestures” (Office Action page 5), it is unclear how Chiu could teach determining whether the first and second gesture inputs are synchronized in time. Third, a close review of the cited paragraphs [0041], [0021] and [0050], as well as the remainder of Chiu, demonstrates that Chiu provides no such teaching. Lacking a teaching or suggestion of these claim limitations in either of Chiu or Mochrle, it is respectfully requested that the rejection of independent claim 1 and dependent claims 3-15 be withdrawn. While dependent claims 3-15 are believed to be allowable based upon their dependence from independent claim 1, multiple of these claims are believed to recite further limitations, which in combination with the limitations of independent claim 1, provide additional bases for allowance.

Independent claim 17 is directed to a system which coordinates resources of mobile computing devices to jointly execute tasks. Independent claim 17 is herein amended to include a limitation from now canceled dependent claim 22, namely “processing circuitry configured to determine whether the first and second gesture inputs form one of a plurality of different synchronous gesture types by determining whether the first and second gesture inputs are synchronized in time.” (Emphasis added). In rejecting claims 17 and 22, the Office Action relied upon the same analysis of Chiu and Mochrle made in reference to claims 1 and 2. As demonstrated above, neither of Chiu or Mochrle teach or suggest synchronous gesture

determination in general, nor more specifically such determination by determining whether the first and second gesture inputs are synchronized in time. Therefore, this combination of references cannot render independent claim 17 or dependent claims 18-21 and 23-35 obvious. Lacking a teaching or suggestion of these claim limitations in either of Chiu or Moehrle, it is respectfully requested that the rejection of independent claim 17 and dependent claims 18-21 and 23-35 be withdrawn. While dependent claims 18-21 and 23-35 are believed to be allowable based upon their dependence from independent claim 17, multiple of these claims are believed to recite further limitations, which in combination with the limitations of independent claim 17, provide additional bases for allowance.

In section 9 of the Office Action, claims 5 and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chiu in view of Moehrle as applied to claim 4, and further in view of Trantow (US Pub. No: 20030222917 A1). Claims 5 and 25 depend from independent claims 1 and 17 respectively. Since Trantow likewise does not teach the limitations of these independent claims which are missing from Chiu and Moehrle, the combination of Chiu, Moehrle and Trantow therefore cannot render dependent claims 5 and 25 obvious. Reconsideration and allowance of claims 5 and 25 are therefore also respectfully requested.

In section 10 of the Office Action, claims 8-10, 21 and 28-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chiu in view of Moehrle as applied to claim 4, and further view of Tran et al. (US Patent No: 61 57935), hereafter referred to a “Tran.” Claims 8-10, 21 and 28-30 each depend from one of independent claims 1 and 17. Since Tran likewise does not teach the limitations of these independent claims which are missing from Chiu and Moehrle, the combination of Chiu, Moehrle and Tran therefore cannot render dependent claims 8-10, 21 and 28-30 obvious. Reconsideration and allowance of claims 8-10, 21 and 28-30 are therefore also respectfully requested.

In section 11 of the Office Action, claims 6-7 and 26-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chiu, Moehrle and Trantow, and further in view of Kinawi et al. (US Patent No: 6545669 D1), hereafter referred to as “Kinawi.” Claims 6-7 and 26-27 each depend from one of independent claims 1 and 17. Since Kinawi likewise does not teach the

limitations of these independent claims which are missing from Chiu, Mochrle and Trantow, the combination of Chiu, Mochrle and Trantow and Kinawi therefore cannot render dependent claims 6-7 and 26-27 obvious. Reconsideration and allowance of claims 6-7 and 26-27 are therefore also respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: /John D. Veldhuis-Kroeze/
John D. Veldhuis-Kroeze, Reg. No. 38,354
900 Second Avenue South, Suite 1400
Minneapolis, Minnesota 55402-3244
Phone: (612) 334-3222
Fax: (612) 334-3312

JVK/jmt